

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 199 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

NATHIBEN PARSHOTTAM

Versus

VANRAVAN D SUCHAK

Appearance:

MR PV HATHI for Petitioners

MR SURESH M SHAH for Respondent No. 1

NOTICE SERVED for Respondent No. 2, 3, 4, 5, 6, 7, 8, 9,10

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 15/07/98

ORAL JUDGEMENT

1. This appeal has been directed against the impugned order dated 23/4/1993 below application Exh. 5 in Special Civil Suit No. 14/1992 rendered by the learned Civil Judge (S.D.), Khambhalia. By the impugned order the defendants (appellants herein) are restrained

from entering into the disputed land and from obstructing the plaintiff in their peaceful possession in any manner till the final disposal of the suit.

2. When this appeal was admitted status-quo was directed to be maintained and ultimately the said order of status-quo was continued and has remained in operation till today, when the matter is being taken up for final disposal.

3. I have heard learned advocate appearing for the parties. They jointly submit that the suit has been transferred for trial before the learned Civil Judge (J.D.) Bhanvad and the same is pending. Under such circumstances, no useful purpose would be served by keeping this Appeal From Order alive when the order of status-quo has remained in operation for considerably a long period. Following order is, therefore, passed :-

The impugned order passed by the learned trial Judge shall stand replaced by the order that both the parties shall maintain status-quo till the final disposal of the suit. The trial Court is directed to hear and decide the suit as expeditiously as possible and preferably within a period of six months from the date of receipt of writ of this direction. The appeal is accordingly disposed of with no order as to cost.

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PVR ao19994j.